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THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

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Attorney for Plaintiff
NATHAN A. TILTON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

| | | |
|------------------------------|---|---------------------------------|
| NATHAN A. TILTON, |) | CASE NO. 22-CV02077-KAV |
| |) | |
| Plaintiff, |) | STIPULATION AND ORDER RE |
| |) | GENERAL ORDER 56 |
| vs. |) | |
| |) | |
| REGENTS OF THE UNIVERSITY OF |) | |
| CALIFORNIA, |) | |
| |) | |
| Defendants. |) | |

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Plaintiff Nathan A. Tilton and Defendant The Regents of The University of California
hereby stipulate and agree as follows:

1. This action was filed on March 31, 2022 and served on April 1, 2022;
2. The parties agreed Defendant would have additional time, to June 24, 2022, to file its Answer because Defense counsel was out of the office with Covid-19;
3. Defendant filed its Answer on June 24, 2022;
4. This matter was assigned to the Honorable Kandis A. Westmore, Magistrate Judge and all parties have or will consent to magistrate jurisdiction;
5. The Court issued an Initial Scheduling Order (Docket #6) that required, among other things, that the parties participate in a joint site inspection on or before May 31, 2022;
6. Because Defense counsel was out of the office, as well as other scheduling issues, the parties need additional time to complete the joint site inspection; and
7. This is not a typical ADA case. It is a complicated case at a botanical garden, a large site including both buildings and acres of exterior paths and exhibits, presenting potentially complicated remediation and legal issues. It cannot be resolved at the initial settlement meeting. Plaintiff's and Defendant's Counsel are experienced in ADA architectural barrier cases, and are working with experienced architects and other experts. Due to the complexity of this specific case, the Parties agree to waive the requirement that Parties attend the initial settlement meeting as the Parties may determine that it best be approached by experts and attorneys, who can make recommendations to their principles to narrow the issues for further negotiations. Additionally, the initial settlement meeting should take place after the Parties' respective experts have had an opportunity to produce their preliminary findings, which may take longer than the 35 days provided for in the Initial Scheduling Order (Docket #6).
8. Therefore, the parties respectfully request that the Court to amend its Initial Scheduling Order as follows:
 - The Joint Site Inspection is to occur on or before August 26, 2022.
 - The deadline to file initial disclosures is continued from August 19, 2022 to September 16, 2022.

- The initial settlement meeting will take place 75 days after the Joint Site Inspection, and the requirement that parties attend the initial settlement meeting is waived.

Date: August 22, 2022

GORDON REES SCULLY MANSUKHANI, LLP

By: /s/Rachel Wintterle
Michael D. Bruno
Rachel Wintterle
Attorneys for Defendants
THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA

Date: August 22, 2022

DERBY, McGUINNESS & GOLDSMITH, LLP

By: /s/ Celia McGuinness
Celia McGuinness
Attorneys for Plaintiff
NATHAN A. TILTON

FILER'S ATTESTATION

Pursuant to the Local Rules, I hereby attest that I, Rachel Wintterle, attorney with Gordon Rees Scully Mansukhani LLP received the concurrence of counsel in the filing of this document.

By: /s/Rachel Wintterle
Rachel Wintterle

ORDER

**UPON STIPULATION OF THE PARTIES AND GOOD CAUSE APPEARING, IT
IS HEREBY ORDERED:**

That the Initial Scheduling Order issued in this case on April 1, 2022 (Docket # 6) is amended as follows:

1. The Joint Site Inspection is to occur on or before August 26, 2022.
2. The deadline to file initial disclosures is continued from August 19, 2022 to September 16, 2022.
3. The initial settlement meeting will take place 75 days after the Joint Site Inspection, and the requirement that parties attend the initial settlement meeting is waived

DATED: August 26, 2022


Hon. Kandis A. Westmore
MAGISTRATE JUDGE

Gordon Rees Scully Mansukhani, LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111